

REMARKS

Claims 1 to 32 are the pending claims, of which Claims 1, 13, 16, 21, 22 and 25 are independent. Claims 1, 13, 16, 22 and 25 are amended. Reconsideration and further examination are respectfully requested.

Claims 1 to 27 are rejected under 35 U.S.C. § 103(a) over WO 02/057943 (Justin) and WO 00/48375 (Tobias), and Claims 13 and 28 to 32 is further rejected over Justin, Tobias and U.S. Patent No. 7,013,290 (Ananian). Reconsideration and withdrawal of the rejection are respectfully requested.

In accordance with the method of Claim 1, incoming feed files are received from a plurality of content providers, each feed file having descriptive information describing digital content. One or more templates are applied to the feed files to determine if the feed files are approved, so as to manage digital content received from the plurality of content providers. Request files are received from a plurality of subscribers, each request file containing one or more search criteria. One or more answer files are provided in response to the request files, each answer file identifying one or more approved feed files that meet the search criteria of a corresponding request file, the one or more answer files facilitating access to the digital content by the plurality of subscribers

In response to Applicant's previous remarks, the Examiner now cites paragraphs 88 and 89 of Justin and states that Justin: 1) discloses a batch file, which the Examiner considers to be equivalent to "feed files", a default batch file, which the Examiner considers to be equivalent to "a template", and a batch file having a security key, which the Examiner considers to be equivalent to feed files being approved.

Paragraphs 88 and 89 of Justin describe a batch file format, i.e., a colon-delimited file, which includes fields separated by a colon. The system retrieves the values from the batch file and stores them in a database during a batch process that processes the batch file and media files uploaded to the system by a client. A default batch file contains values that are applied to all of the media files uploaded with the media files. A standard batch file contains values that are applied to a single media file. A batch file is determined to be default or standard batch file based on whether or not the first field contains the word "DEFAULT." If this field has a value other than the value "DEFAULT", the batch file is identified as a standard batch file. See

paragraphs 82 to 96 of Justin. Without conceding that a batch file corresponds to a template, nothing in Justin applies the batch file as a template, and there is no connotation in Justin of using a template to determine whether the batch file is approved. Justin looks for a particular word, i.e., "DEFAULT" to determine the type of batch file. Justin determines the type of the batch file to determine whether the values in the batch file should be applied to a single media file or a set of media files, not to determine whether or not the batch file is approved. Justin does not teach, suggest or disclose determining if received feed files are approved, and Justin does not teach, suggest or disclose determining if received feed files are approved by applying one or more templates to the feed files. The Examiner suggests that the security key included in a batch file is equivalent to a feed file being approved. Justin's security key is used to limit access to a media file, and plays no role whatsoever Justin's batch file treatment. See paragraphs 27, 50, 77 and 89 of Justin, for example. Justin's determination of a batch file's type and Justin's security key do not teach, suggest or disclose determining if a feed files approved by applying one or more templates to the feed file, and further do not have any implication as to whether the feed file is provided in response to a request file received from a subscriber.

With regard to Tobias, the Examiner cites page 16, lines 18 to 24 and page 17, lines 1 to 3, and contends that Tobias: 1) provides a user interface, which may be dynamically generated based on subscriptions active in the system, and which user interface allows individuals associated with an authorized affiliate server to submit a subscription request, and an order manager configured to receive a request over a network and verify that the request is from a user that is associated with an authorized server, which the Examiner considers to be equivalent to determining if feed files are approved; 2) discloses that upon authenticating the authorized affiliate user, the order manager may generate a GUI for displaying a list of media programs and distribution rules that are available for generating a subscription, which the Examiner considers to be equivalent to applying one or more templates to feed files; 3) discloses a GUI, which the Examiner considers to be equivalent to a template; and 4) discloses a list of media programs and distribution rules, which the Examiner considers to be equivalent to feed files.

The cited portion of Tobias describes a graphical user interface, or GUI, which displays a listing of available subscriptions to an authenticated affiliate user, which affiliate user then interacts with the GUI to select media programs and distribution rules to generate a subscription package that the affiliate user can distribute to its end users. As is described in the cited portion

of Tobias, the order manager authenticates the affiliate user, before the GUI containing the listing of available subscriptions is generated and provided to the affiliate user. The cited portion of Tobias does not even mention feed files or templates. A graphical user interface, or GUI, is a term used to refer to a display viewable by a user. A display viewable by a user is not the same as the claimed template, and generating a display viewable by a user is not the same as applying a template to a feed file. A listing of media files and distribution rules displayed to a user in a GUI is not the same as the claimed feed files. A GUI displaying a listing of media files and distribution rules and the order manager authenticating a user before the user views the display of the media files and distribution rules has nothing to do with determining if feed files are approved by applying one or more templates to the feed file.

The Examiner further contends that Tobias's description at page 24, lines 15 and 16 and page 23, lines 17 to 18 discloses receiving request files from subscribers, each request file containing one or more search criteria, and that page 24, line 4 to page 25 line 14 of Tobias discloses the claimed providing one or more answer files in response to request files, each answer file identifying one or more feed files that meet the search criteria of a corresponding request file.

Lines 17 and 18 at page 23 of Tobias describes a flat file system, which Tobias refers to as repository 227, that stores the media files, program metadata and subscription rules. Tobias describes that the repository can be used to search and retrieve encrypted media files. A repository that stores media files, program metadata and subscription rules is nothing like a request file containing one or more search criteria received from a subscriber. At page 24, lines 15 and 16, Tobias describes a process performed by an affiliate in response to an end user. Referring to the process described at page 24, line 4 to page 25, line 14 and shown in Figure 11 of Tobias, an end user interacts with a browser program to request a list of available media content, the affiliate displays an electronic document in response which includes a link to media files. The end user selects a particular media file link, and the affiliate uses the subscription rules to determine whether the particular media file selected by the end user can be streamed to the user. The end user's interaction with a browser to request a list of available media content fails to disclose receiving a request file containing one or more search criteria. The Examiner considers that the particular media file selected by the end user is equivalent to an answer file, and that a subscription manager retrieving subscription rules assigned to a media file is

equivalent to meeting the search criteria of a corresponding request file. Tobias' "particular media file" is streaming media content, which is not the same as the claimed answer file which identifies one or more feed files that meet the search criteria of a corresponding request file. Furthermore, Tobias' subscription rules used to determine whether or not to stream media content to the end user has nothing to do with meeting the search criteria of a corresponding request file, let alone providing one or more answer files in response to request files, each answer file identifying one or more feed files that meet the search criteria of a corresponding request file.

At page 16 of the Office Action, the Examiner refers to Ananian, and in particular col.18, lines 60 to 67 and col. 19, lines 1 to 17 of Ananian, and contends that the cited portion discloses providing an answer file in response to a request file, each answer file identifying one or more feed files that meet the search criteria of a corresponding request file. The Examiner states that Ananian describes providing a feedback loop in response to advertising and promotions, which the Examiner considers to be equivalent to providing an answer file in response to a request file.

It is respectfully submitted that Ananian has never been applied against Claim 1. In the spirit of advancing prosecution, however, the Applicant provides the following remarks.

As discussed in Applicant's previous remarks, Ananian focuses on cataloging vendor website products and services for a user by creating a personal catalog of such products and services for the user. The cited portion of Ananian, i.e., col. 18, line 60 to col. 19, line 17, has to do with providing a "feedback loop" to provide feedback to a vendor as to the number and general "geographics" of catalog acquisitions and peer-sharing of catalogs between users. Ananian's "feedback loop" which provides feedback to vendors regarding user's personal catalogs has nothing to do with the claimed answer file which identifies one or more feed files that meet the search criteria of a corresponding request file.

For at least the reasons discussed above and already of record, the applied art fails to teach, disclose or even to suggest the claimed invention. Claim 1 and the claims that depend therefrom are believed to be in condition for allowance. In addition, for at least the same reasons, Claims 16, 21 and 22, and their dependent claims, are also believed to be in condition for allowance.

Applicant's previous remarks noted some apparent inconsistencies between the stated grounds of rejection of the dependent claims and the concessions made in the Office Action with

respect to the independent claims, and requested that the Examiner address these inconsistencies. As one example previously provided by Applicant, Claim 2 depends from Claim 1 and has the additional elements of determining that a first feed file is not approved based on a comparison of the first feed file to a first template, identifying that the first feed file is unapproved, modifying the descriptive information of the unapproved feed file in accordance with the first template and identifying the first feed file as approved. The Office Action relies on Justin as disclosing these elements. In its rejection of Claim 1, however, the Office Action concedes that Justin fails to disclose at least the element of determining if received feed file are approved by applying one or more templates to the feed files. The Office Action's reliance on Justin to reject the elements of Claim 2 is inconsistent with the concessions made in the Office Action. The current Office Action fails to provide the clarification requested by Applicant, and indeed adds to the inconsistencies. The Examiner provides the comments, which reference Justin, as set out commencing at page 13 of the current Office Action, but maintains the concessions with regard to Justin from the previous Office Action in rejecting Claim 1, which can be found at page 3 of the current Office Action. Applicant reiterates their request for clarification of these and the other inconsistencies in the Office Action.

Furthermore, Applicant notes that the Examiner's remarks fail to include a response with respect to Claims 2, 13 and 25 addressed in Applicant's previous remarks.

Claim 2 depends from Claim 1 and has the additional elements of determining that a first feed file is not approved based on a comparison of the first feed file to a first template, identifying that the first feed file is unapproved, modifying the descriptive information of the unapproved feed file in accordance with the first template and identifying the first feed file as approved. With respect to determining that a first feed file is not approved based on a comparison of the first feed file to a first template, the Examiner cites paragraph 14 of Justin. This paragraph is part of the detailed listing of the drawings and refers to Figure 5 of Justin as illustrating a process of creating a playlist. This has nothing to do with determining that a first feed file is not approved. With regard to identifying that the first feed file is unapproved, the Examiner cites paragraph 114 of Justin. Paragraph 114 of Justin refers to a content management database for use with storage servers, which is unrelated to identifying a first feed file as unapproved. The Examiner cites paragraph 132 as disclosing modifying the descriptive information of the unapproved feed file in accordance with the template. However, paragraph

132 of Justin refers to stream groups, and adding content to a stream group and/or editing a stream group's identifying information. Nothing in the cited paragraph mentions a feed file, let alone an unapproved feed file. Furthermore, nothing in the cited paragraph discloses modifying the descriptive information of the unapproved feed file and/or modifying the unapproved feed file in accordance with the template used to determine that the feed file was not approved. With respect to identifying the first feed file as approved in combination with the steps recited in Claim 2, the Office Action refers Applicant to the grounds for rejection applied to Claim 5, which refers Applicant to the grounds for rejection of Claim 17, which refers Applicant back to the grounds for rejection of Claim 2. The Office Action fails to articulate any grounds for the rejection with respect to identifying the first feed file as approved in combination with the steps recited in these claims. Should the Examiner persist in her rejection, clarification of the specific grounds for rejection is respectfully requested.

In addition to the elements discussed above with respect to Claim 1, independent Claim 25 has the elements of assigning a first service level to a first content provider and a second service level to a second content provider, and providing an answer file in response to the request file, the answer file identifying one or more feed files that meet the search criteria, wherein the feed files are identified according to a priority based on the service levels.

The Office Action contends that page 11, lines 5 to 8 of Tobias discloses providing an answer file in response to the request file, the answer file identifying one or more feed files that meet the search criteria, wherein the feed files are identified according to a priority based on the service levels. However, nothing in the cited portion of Tobias can be said to identify feed files according to a priority based on service levels assigned to content providers, let alone an answer file identifying one or more feed files according to a priority based on the service levels.

In addition to the reasons discussed above with reference to Claim 1, Claim 25 is believed to be allowable for the reason that the applied art fails to teach, suggest or disclose at least the feature of providing an answer file in response to the request file, the answer file identifying one or more feed files that meet the search criteria, wherein the feed files are identified according to a priority based on the service levels. The claims that depend from Claim 25 are also believed to be allowable for at least the same reasons.

Claim 13 recites a graphical interface for processing digital content identified by a plurality of feed files. The interface comprises a display window, a plurality of tabs and a save

button. The display window is configured to present and to permit editing of descriptive information corresponding to an event identified in a feed file, wherein the descriptive information is separated into at least two groups of the claimed descriptive information. The plurality of tabs are located on the display window for selecting among the at least two groups of descriptive information. The save button is located on the display window and is configured to store the plurality of descriptive information in a database, the descriptive information corresponding to the event of the incoming feed file.

The Office Action concedes that Justin does not disclose a user interface that comprises a plurality of tabs located on a display window for selecting among at least two groups of descriptive information, and/or a save button located on the display window configured to store the plurality of descriptive information in a database, the descriptive information corresponding to the event of the incoming feed file. The Office Action contends that Ananian discloses these claim elements.

In contrast to the claimed invention which relates to processing digital content identified by a plurality of feed files, Ananian focuses on cataloging website products and services for a user by creating a personal catalog of such products and services for the user. While the cited portions of Ananian describe a user interface, the user interface described is limited to displaying the user's personal catalog selections. In particular, the cited portion of Ananian, i.e., col. 44, lines 51 to 62, describes a user interface screen used to provide a listing of the user-selected catalog items. From the line item listing screen of Ananian, a user can select one of the line items to view the item, and use navigational tabs to return to from the detail view to the listing view. At col. 21, lines 15 to 20 and lines 36 to 45 cited in the Office Action, Ananian describes vendor websites that allow a user to create an account and save a list of products found on the website, and the use of cookies to track the user's website actions.

Ananian's user interface for viewing a user's personal catalog of products and services selections is in no way related to the claimed user interface for processing digital content identified by a plurality of feed files. Nothing in the cited portions of Ananian can be said to teach, suggest or disclose the claimed user interface for processing digital content identified by a plurality of feed files, let alone a user interface which includes a display window on which are located a plurality of tabs and a save button, the plurality of tabs for selecting among at least two groups of descriptive information corresponding to an event identified in a feed file, and the save

Appl. No.: 10/789,722
Amendment And Response To Office Action

Docket No.: 085804 . 014700

button configured to store the plurality of descriptive information in a database, the descriptive information corresponding to the event of the incoming feed file.

For at least these reasons, the applied art cannot be said to teach, disclose or even to suggest the claimed invention. Claim 13 and the claims that depend therefrom are therefore believed to be in condition for allowance.

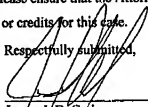
In view of Applicant's remarks submitted herein and in their previous remarks of record, it is believed that Claims 2, 13 and 25 are in condition for allowance. Should the Examiner disagree, Applicant respectfully requests that the Examiner provide a detailed response to Applicant's current and prior remarks so that prosecution can be advanced expeditiously.

In this regard, should matters remain which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned attorney. Alternatively, since it is believed that the claims of the present application are in condition for allowance, the Examiner is respectfully requested to issue a Notice of Allowance at the Examiner's earliest convenience.

The applicants' attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 32361.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-1561. Please ensure that the Attorney Docket Number is referenced when charging any payments or credits for this case.

Respectfully submitted,



James J. DeCarlo
Reg. No. 36,120

Date: June 15, 2007

Customer Number 32361
GREENBERG TRAURIG, LLP
Met Life Building
200 Park Avenue, 20th Floor
New York, New York 10166
Phone: (212) 801-9200
Fax: (212) 801-6400